

**CITY OF MILPITAS
RECREATION FACILITY AND SERVICE FEES
January 2004**

Community Center				
<i>Facility / Service</i>	<i>St's/ Schls/ Chamber</i>	<i>Resident/ Non- Profits</i>	<i>Residents</i>	<i>Non- Residents</i>
Reservations Accepted	1year to proposed date	1year to proposed date	1year to proposed date	6 months to proposed date
Rental Deposits: Community Hall	None	\$150.00	\$250.00	\$350.00
Rental Deposits: All other rooms	None	\$75.00	\$100.00	\$150.00
Auditorium (3 hr minimum)	No fee	\$30.00/hr	\$70	\$15.00/hr
Conference Room Full (2hr minimum)	No fee	\$12.00/hr	\$35.00/hr	\$58.00/hr
Conference Room ½ (2 hr minimum)	No fee	\$7.50/hr	\$7.50/hr	\$15.00/hr
Dance Studio/ Craft Classroom (2 hr minimum)	No fee	\$6.50/hr	\$6.50/hr	\$13.00/hr
Facility Attendant Fees	Actual Cost to City	Actual Cost to City	\$15.00/hr	\$15.00/hr
Theatrical Light Rental	\$50.00/ day	\$50.00 / day	Not available	Not available
Light Deposit	\$150.00 / day	\$150.00 / day	Not available	Not available
Light Technician (3 hr minimum)	Actual Cost to City	Actual Cost to City	Not available	Not available
Light Set Up / Take Down (6hr minimum)	Actual Cost to City	Actual Cost to City	Not available	Not available
TV / VCR	No fee	\$17.50 / day	\$17.50 / day	\$35.00 / day
Plano	No fee	\$17.50 / day	\$17.50 / day	\$35.00 / day
Application Fee (non-refundable)	\$15.00 / application	\$15.00 / application	\$15.00 / application	\$15.00 / application
Mobile Stage				
• Reservation	1month to proposed date	1month to proposed date	1month to proposed date	Not Available
• Deposit	\$1,000	\$1,000	\$1,000	Not Available
• Rental (Includes staff and towing)	\$350 per day	\$350 per day	\$350 per day	Not Available

Milpitas Sports Center				
<i>Facility / Service</i>	<i>St's/ Schls/ Chamber</i>	<i>Resident/ Non- Profits</i>	<i>Residents</i>	<i>Non- Residents</i>
Reservations Accepted	90 days to proposed date	90 days to proposed date	90 days to proposed date	60 days to proposed date
Rental Deposits	None	\$150.00	\$250.00	\$350.00
Large Gymnasium (3 hr minimum)	No fee	\$30.00/hr	\$30.00/hr	\$75.00/hr*
Dance Studio (2hr minimum)	No fee	\$20.00/hr	\$20.00/hr	\$40.00/hr
Instructional Pool (2hr minimum)	No fee	\$15.00/hr + 2 guards	\$15.00/hr + 2 guards	\$30.00/hr + 2 guards
Yard Pool (2 hr minimum)	No fee	\$20.00/hr + 2 guards	\$20.00/hr + 2 guards	\$40.00/hr + 2 guards
Meter Pool (2 hr minimum)	No fee	\$25.00/hr + 2 guards	\$25.00/hr + 2 guards	\$50.00/hr + 2 guards
Tiny Tot Pool (2 hr minimum)	No fee	\$10.00/hr + 2 guards	\$10.00/hr + 2 guards	\$20.00/hr + 2 guards
Football / Soccer Field w/o lights (2 hr min)	No fee	\$20.00/hr	\$20.00/hr	\$50.00/hr*
Football / Soccer Field w/ lights (2 hr min)	No fee	\$30.00/hr	\$30.00/hr	\$75.00/hr*
Softball / Baseball Field w/o lights (2hr min)	No fee	\$4.00/hr	\$4.00/hr	\$20.00/hr*
Softball / Baseball Field w/ lights (2 hr min)	No fee	\$9.00/hr	\$9.00/hr	\$30.00/hr*
Custodial Charges	\$75.00/ day	\$75.00 / day	\$75.00/ day	\$75.00/ day
Facility Attendant / Scorekeeper	Actual Cost to City	Actual Cost to City	\$15.00/hr	\$30.00/hr*
Lifeguard Fees	Actual Cost to City	Actual Cost to City	\$15.00/hr	\$15.00/hr
Application Fee (non-refundable)	\$15.00 / application	\$15.00 / application	\$15.00 / application	\$15.00 / application

CITY OF MILPITAS
RECREATION FACILITY AND SERVICE FEES
January 2004

Picnic Areas				
<i>Facility / Service</i>	<i>St's/ Schls/ Chamber</i>	<i>Resident/ Non- Profits</i>	<i>Residents</i>	<i>Non- Residents</i>
Reservations Accepted	90 days to proposed date	90 days to proposed date	1 year to proposed date	6 months to proposed date
Picnic Area – 50 or Less capacity	No fee	\$20/day/area	\$20/day/area	\$34/day/area
Picnic Area – More than 50 capacity	No fee	\$40/day/area	\$40/day/area	\$54/day/area
Picnic Kit	No fee	\$12.50/kit/day	\$12.50/kit/day	\$25.00/kit/day
Picnic Kit Deposit (refundable)	\$125.00/kit	\$125.00/kit	\$125.00 / kit	\$125.00 / kit
Picnic Kit Late Fee	\$5.00/day	\$5.00/ day	\$5.00/day	\$5.00/day
Softball Field w/o lights (2 hr min)	No fee	\$4.00/hr	\$4.00/hr	\$20.00/hr
Softball Field w/ lights (2 hr min)	No fee	\$9.00/hr	\$9.00/hr	\$30.00/hr
Attendant Fee	Actual Cost to City	Actual Cost to City	\$15.00/hr	\$30.00/hr*
Application Fee (non-refundable)	\$15.00 / application	\$15.00 / application	\$15.00 / application	\$15.00 / application

Senior Center and Sal Graciele Building				
<i>Facility / Service</i>	<i>St's/ Schls/ Chamber</i>	<i>Resident/ Non- Profits</i>	<i>Residents</i>	<i>Non- Residents</i>
Reservations Accepted	90 days to proposed date	90 days to proposed date	1 year to proposed date	6 months to proposed date
Rental Deposits: Auditorium	None	\$150.00	\$250.00	\$350.00
Rental Deposits: Classrooms	None	\$75.00	\$100.00	\$150.00
Auditorium (3 hr minimum)	No fee	\$28.00/hr	\$55.00/hr	\$75.00/hr
Courtyard (3 hr minimum)	No fee	\$10.00/hr	\$10.00/hr	\$20.00/hr
Small Meeting Room (2 hr minimum)	No fee	\$10.00/hr	\$10.00/hr	\$20.00/hr
Facility Attendant Fees	Actual Cost to City	Actual Cost to City	\$15.00/hr	\$15.00/hr
Application Fee (non-refundable)	\$15.00 / application	\$15.00 / application	\$15.00 / application	\$15.00 / application

Higuera Adobe				
<i>Facility / Service</i>	<i>St's/ Schls/ Chamber</i>	<i>Resident/ Non- Profits</i>	<i>Residents</i>	<i>Non- Residents</i>
Reservations Accepted	90 days to proposed date	90 days to proposed date	1 year to proposed date	6 months to proposed date
Rental Deposits	None	\$150.00	\$250.00	\$350.00
Auditorium	No fee	\$15.50/hr	\$35.00/hr	\$57.50/hr
Facility Attendant Fees	Actual Cost to City	Actual Cost to City	\$15.00/hr	\$15.00/hr
Application Fee (non-refundable)	\$15.00 / application	\$15.00 / application	\$15.00 / application	\$15.00 / application

**CITY OF MILPITAS
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Tournament Field				
<i>Facility / Service</i>	<i>St's/ Sch's/ Chamber</i>	<i>Resident/ Non- Profits</i>	<i>Residents</i>	<i>Non- Residents</i>
Reservations Accepted	90 days to proposed date	90 days to proposed date	90 days to proposed date	60 days to proposed date
Rental Deposits	None	\$150.00	\$250.00	\$350.00
Softball Field w/o lights (2 hr min) Current	No fee	\$4.00/hr	\$4.00/hr	\$20.00/hr
Softball Field w/ lights (2 hr min) Current	No fee	\$9.00/hr	\$9.00/hr	\$30.00/hr
Football/ Soccer Field w/o lights (2 hr min) Current	No fee	\$20.00/hr	\$20.00/hr	\$50.00/hr
Football / Soccer Field w/ lights (2 hr min) Current	No fee	\$30.00/hr	\$30.00/hr	\$75.00/hr
Bases	No fee	\$10/set/ day	\$10/set/ day	\$20/set/ day
Field Prep	No fee	Actual Cost to City	\$15/hr	\$30.00 / field/prep
Lights	No fee	\$5.00/hr	\$5.00/hr	\$10.00/hr
Scorekeeper / Field Attendant	Actual Cost to City	Actual Cost to City	\$15.00/hr	\$30.00/hr*
Tennis Court Reservations (per court)	No fee	\$3.75/hr	\$3.75/hr	\$8.00/hr
Tennis Court Lights	No fee	\$5.00/hr	\$5.00/hr	\$10.00/hr
Application Fee (non-refundable)	\$15.00 / application	\$15.00 / application	\$15.00 / application	\$15.00 / application

Festival Rental Fees				
<i>Facility / Service</i>	<i>St's/ Sch's/ Chamber</i>	<i>Resident/ Non- Profits</i>	<i>Residents</i>	<i>Non- Residents</i>
Football Field / Open Space Fee w/o lights	No fee	\$250.00 / day	\$250.00 / day	\$500.00 / day
Personnel Fees	Actual Cost to City	Actual Cost to City	Actual Cost to City +25%	Actual Cost to City +25%
Application Fee (non-refundable)	\$15.00 / application	\$15.00 / application	\$15.00 / application	\$15.00 / application

MILPITAS CITY HALL - GENERAL RENTAL INFORMATION

457 East Calaveras Boulevard, Milpitas, CA 95035

(408) 586-3210

City Hall (455 E. Calaveras Blvd.) may be viewed during regular business hours, provided no other functions are scheduled. Please call ahead to verify availability for viewing.

Reservations are accepted in person at the Milpitas Community Center Office, 457 East Calaveras Boulevard, Monday - Thursday, 8:00 a.m. - 7:30 p.m., Friday, 8:00 a.m. - 5:00 p.m. only. No phone, mail, or fax reservations are accepted. City Hall may be reserved for use anytime from 7:00 a.m. to 12 midnight. Rental fees are charged from the time you or your caterers, florists, band, etc. enter the Center until your function is over. When planning your rental times, please include your own set up time for decorating, caterers, florists, etc.

Milpitas residents may reserve the facility no more than one (1) year prior to the proposed use date. **Non-residents** (applicants not residing in Milpitas) may reserve the facility no more than six (6) months prior to the proposed use date. **Resident non-profit** organizations can reserve City Hall nine (9) months prior to the proposed use date.

Reservations require a completed Facility Use Application, a cleaning & damage deposit, and an application fee. The deposit is refundable after the use date and will be returned to you by City check, within approximately 30 days, unless damages, additional maintenance or services are assessed. **All fees must be paid in the form of a cashier's check, money order, cash, or VISA/MC/DISCOVER. Cashier's checks or money orders must be payable to: CITY OF MILPITAS.** No personal checks will be accepted. Final rental fees are due 30 days prior to the rental date and must be paid in person.

Cancellations must be received 90 days prior to the event in order to receive a refund of the deposit (less a \$50.00 processing fee). Activities booked within 90 days of the event will not receive a deposit refund if canceled.

RESIDENTS: Resident applicants must submit applications in person (applications will not be accepted from anyone other than applicant). When submitting an application and when paying final rental fees, **residents must provide 2 forms of proof of residency - a valid California driver's license showing your Milpitas address and one (1) of the following: a current phone bill or a Milpitas water bill, current bank statement or imprinted check.**

The City Hall Building, Plaza and Grounds are also subject to Chapter 100, Title I of the Milpitas Municipal Code and all applications must be approved by the City Manager.

Please note: Additional insurance and fees may apply depending on the type of function. No political fundraising is allowed at City Hall Building, Plaza, and Grounds.

No amplified or "Live" music is allowed in outdoors areas due to disturbance to surrounding facilities.

CITY HALL FEE SCHEDULE

<u>ROOM/SERVICE</u>	<u>CAPACITY</u>	<u>RESIDENT NON-PROFIT</u> 9 months to proposed date	<u>RESIDENTS</u> 1 yr to proposed date	<u>NON-RESIDENTS</u> 6 mos to proposed date
Reservations Accepted				
Rental Deposits: Council Chambers		\$250.00	\$500.00	\$1,000.00
Rental Deposits: Other rooms/outdoor areas		\$150.00	\$300.00	\$600.00
Application Fee (non-refundable)		\$15.00	\$15.00	\$15.00
Insurance Processing fee		\$15.00	\$15.00	\$15.00
<u>Rotunda Area (2 hr. min)</u>	284	\$250.00/hr.	\$500.00/hr.	\$1,000.00/hr.
Committee Room (2 hr. min)	55 (no dining/tables/chairs)	\$37.50/hr.	\$75.00/hr.	\$150.00/hr.
<u>Council Chambers - no food is allowed in this room</u>				
Council Chambers (2 hr. min)	160 (fixed seating)	\$400.00/hr.	\$500.00/hr.	\$1,000.00/hr.
Public Information Specialist *		\$50.00/hr.	\$60.00/hr.	\$120.00/hr.
<u>Patios - no tables and chairs are provided</u>				
City Council Patio Area (2 hr. min)	55	\$25.00/hr.	\$50.00/hr.	\$100.00/hr.
Front Patio (2 hr. min)	49	\$25.00/hr.	\$50.00/hr.	\$100.00/hr.
Back Patio (2 hr. min)	180	\$37.50/hr.	\$75.00/hr.	\$150.00/hr.
<u>Outdoor Areas - no tents, tables, chairs, or structures allowed on the grass.</u>				
Amphitheatre Area (2 hr. min)	233	\$37.50/hr.	\$75.00/hr.	\$150.00/hr.
Library/Grass Area (2 hr. min)	200	\$37.50/hr.	\$75.00/hr.	\$150.00/hr.
Plaza Area (near flag poles) **	80	\$37.50/hr.	\$75.00/hr.	\$150.00/hr.

*Required to run equipment at Council Chamber

** Flag ceremonies require prior City Council approval.

For further information regarding rental policies, please refer to the Facility Use Rules & Regulations. Should you have any questions, please call the Milpitas Community Center Office at (408) 586-3210.

CITY OF MILPITAS FACILITY RENTAL PACKET



**PLEASE NOTE FEES AND INSURANCE REQUIREMENTS
ARE SUBJECT TO CHANGE**

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GENERAL RENTAL INFORMATION

1. Rental facilities may be viewed during regular business hours, by appointment only, provided no other functions are scheduled. To make an appointment please call the desired rental facility.
2. No phone, mail or fax reservations are accepted. Rental permits available for
Community Center, City Hall, Special Events & Equipment, Higuera Adobe building & Parks: Community Center, 457 East Calaveras Blvd., Monday-Thursday, 8:00 am to 7:30 pm, Friday, 8:00 am to 5:00 pm., 408-586-3210.
Sal Cracolice (re-located temporary Senior Center), 540 S. Abel, Monday - Friday, 9:00 am to 4:00 pm., 408.586.2775.
Sports Center & Sports Fields: Sports Center, 1325 E. Calaveras Blvd., Monday - Thursday, 6:00 am to 9:00 pm, Fridays, 6:00 am to 6:00 pm, Saturday, 9:00 am to 1:00 pm., 408-586-3225.
Milpitas Police Department Community Room: Police Department, 1275 N. Milpitas Blvd., Monday-Friday, 8:00 am to 5:00 pm., 408-586-2400, resident use only.
City Council Chambers: City Manager's Office, located at 455 E Calaveras Blvd., Monday - Friday, 8:00am-5:00pm

Entertainment Event permits must be obtained in person at the City Clerk's Office, located at 455 E. Calaveras Blvd., Monday - Friday, 8:00 am to 5:00 pm.

3. Facilities may be reserved for use anytime from 7:00 am to 12 midnight with the exception of the Police Department Community Room, which is available for residents only from 8:00 am to 11:00 pm. Rental fees are charged from the time you or your caterers, florists, etc. enter the facility until your function is over. When planning your rental times, be sure to include setup time for decorating, caterers, florist, etc.

RESERVATIONS TIMELINE:

1. The City of Milpitas, ~~Planning, Recreation & Neighborhood Services Department~~ must receive a Facility Use Application, a cleaning & damage deposit and an application fee before any function may be scheduled (at the appropriate location above). **All fees must be paid in the form of a cashier's check, money order, cash or VISA/MC/DISCOVER. Cashier's check or money orders must be payable to: City of Milpitas.** No personal checks will be accepted. Final rental fees, set-up diagram, proof of insurance (if applicable) are due 30 days prior to the rental date and must be paid in person.
2. Reservations can be made according to these timelines: Milpitas Residents – (two forms of proof of residency required, photo ID & current utility bill) Up to 1 year in advance; Non Residents – Up to 6 months in advance; Resident Non-Profits, See guidelines below.

RESIDENT NON-PROFITS ORGANIZATION TIMELINE:

~~Resident non-profits may reserve facilities no more than one (1) year prior to the proposed use date for special events, parties etc. Non-profits may also reserve a meeting room once per month not to exceed 4 hours, for the application fee rate, for business meetings only, on a space available basis. Free use is contingent on submission of an application within the date parameters outlined below. Application submitted outside the given guidelines will be charged full non-profit fees according to the standard fee schedule. Organizations may reserve up to three dates on one application.~~

Resident non-profits must submit, every January, the following:

- 1) A current roster with 51% or more Milpitas Residents and a letter verifying with current non-profit status.
- 2) A ~~and~~ a letter listing two (2) individuals authorized to make reservations, changes or cancellations. reservations.
- 3) A deposit of \$150 to be kept on file for the calendar year to deduct any necessary damage fees, charges for no shows, etc. which will be refunded to the group every December.
- 4) A mission statement of the organizations purpose.

For Non-Profit Meetings In

January-March

April-June

July-September

October-December

Non -Profit Application Accepted

December 1

March 1

June 1

September 1

For further information regarding rental policies, please refer to the Facility Use Rules & Regulations. Should you have any questions, please call the Milpitas Community Center at 408-586-3210.

CITY OF MILPITAS

FACILITY USE RULES AND REGULATIONS FOR INDOOR & OUTDOOR FACILITIES

I. PRIORITIES

Priorities are designed to determine fee and reservation status. For reservation status see rule 2.4 and 2.5.

- 1.1 To provide for public activities in the best interest of the Community, City facilities will be reserved in accordance with the following group priorities:

Priority I. City sponsored, Co-sponsored and City administered programs. |

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|------------------|-----------------------|
| 1. No deposit | 3. No Staff fee |
| 2. No rental fee | 4. No application fee |

Priority II. Programs or activities of for-Senior Citizens or handicapped groups which are principally composed of local residents (51% or more) private or public schools located in the Milpitas City limits, the Milpitas Chamber of Commerce and governmental agencies. |

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|---|---------------------------------|
| 1. No deposit | 3. Staff at actual cost to City |
| 2. No rental fee | 4. Application fee |
| 5. Any applicable insurance <u>and processing</u> fees that may apply | |

Priority III. Non-profit groups that are organized for recreational, social, cultural, religious or civic purposes and whose membership is principally composed of local residents (51% or more) or whose charter is based in Milpitas.

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|---|
| 1. Facility deposit according to the fee and deposit schedule |
| 2. Rental fee according to fee schedule |
| 3. Staff at actual cost to the City |
| 4. Application fee |
| 5. Any applicable insurance <u>and processing</u> fees that may apply |

Priority IV. Any other group, business or individual resident of the City of Milpitas.

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| 1. Facility deposit according to the fee and deposit schedule |
| 2. Rental fee according to fee schedule |
| 3. Staff Fee |
| 4. Application fee |
| 5. Any applicable insurance <u>and processing</u> fees that may apply |

Priority V. Any non-resident group, business or individual.

1. Facility deposit according to the fee and deposit schedule
2. Rental fee according to fee schedule
3. Staff Fee
4. Application fee
5. Any applicable insurance and processing fees that may apply

II. RESERVATIONS/APPLICATIONS

2.1 Permits for use of City facilities shall be issued by the City upon the approval of the ~~City Manager~~ Director of Planning, Recreation and Neighborhood Services PR&NS ~~/ the Recreation Services Manager~~ or his or her authorized representative and shall be consistent with City regulations governing such use.

2.2 The use of those facilities shall not be inconsistent with other such use for City purposes or interfere with the regular conduct of City programs. City sponsored programs shall receive first priority over use by any other group or organization. The City reserves the right, if necessary, to preempt, or revoke permit (if previously issued) for the use if for any reason it becomes unavoidably necessary for City to utilize said facility or facilities at the same time. If and when such action is necessary, the City will give ~~permits~~ applicants as much advance notice as possible.

2.3 Permits for use of the Milpitas Community Center, City Hall, Special Events/Equipment, Adobe building and all parks, must be obtained in person at the Milpitas Community Center, 457 E. Calaveras Blvd., Monday through Thursday, 8:00 am to 7:30 pm and Fridays, 8:00 am to 5:00 pm. Amplified music in the parks is prohibited, however, exceptions may be granted by the City Manager.

Permits for the use of the Milpitas Sports Center must be obtained in person at the Milpitas Sports Center, 1325 E. Calaveras Blvd., Monday through Friday, 6:00 am to 9:00 pm, Saturday, 9:00 am to 1:00 pm.

Permits for the use of the Sal Cracolice building (temporary Senior Center) must be obtained in person at the Sal Cracolice Building, 540 S. Abel, Monday through Friday, 9:00am to 4:00pm.

~~Permits for use of the City Council Chambers must be obtained in person at the City Manager's Office, located at 455 E. Calaveras Blvd., Monday through Friday, 8:00am-5:00pm.~~

Permits for use of the Milpitas Police Department Community Room must be obtained in person at the Police Department, 1275 N. Milpitas Blvd., Monday through Friday, 8:00am-5:00pm (Residents Only).

Entertainment Event permits must be obtained at the City Clerk's Office, located at 455 E. Calaveras Blvd., Monday through Friday, 8:00 am to 5:00 pm.

- 2.4 Applications for use of City facilities will not be accepted more than one (1) year to the date prior to proposed use for Priorities II-IV. Priority V applications will not be accepted more than six (6) months prior to the proposed use.

In cases where the earliest date to reserve a facility falls on a weekend (Saturday or Sunday) or City holiday, reservations will be accepted on the preceding weekday. Should the preceding weekday be a City Holiday, applications will be accepted on the prior workday.

Priorities II & III may also reserve an indoor facility for monthly meetings once per month, (not to exceed four (4) hours), according to the following schedule:

Community Center – Classrooms, Dance Room (only for groups who purpose defines necessity to perform) (Monday – Friday, 8am to 9:00pm.)

Higuera Adobe – (Monday – Thursday), 8am to 9 pm.

~~Priorities II & III may also reserve an indoor or outdoor facility for meetings or monthly functions twice per month free of charge for business meetings only (not including application fee). Groups are required to notify the department 30 days in advance if canceling a reservation. In the case the organization is a no show or late on the scheduled date, the group will be assessed charges for the number of hours reserved, for the Staff at City cost. Facilities are available on a space available basis. Organizations may reserve up to three dates on one application and must submit an application according to the reservation schedule listed below. Groups may not use a facility without an application on file. Should additional maintenance or custodial services be required or the group exceeds the reserved rental hours, groups will be assessed additional fees or charges as necessary. Priorities II & III may reserve indoor facilities for special events or parties one (1) year to the date prior to the proposed use date under the set guidelines-fee schedule and timeline of reserving such facilities.~~

For meetings in

January - March

April - June

July - September

October - December

Applications accepted

December 1

March 1

June 1

September 1

- 2.6 All applications for use must be signed by an adult (18-year minimum age) and said adult shall agree to be responsible for facility use. Groups composed of minors 17 years of age and under must be supervised by one (1) adult for each 15 minors. All activities must have adult supervision to ensure adequate control. (Please Refer to rule 5.4, regarding no alcohol at youth functions).

- 2.7 No permit will normally be issued for a period longer than one (1) day. Applicants may reserve a facility for consecutive days whenever the facility is in the periods of minimal demand. Buildings are closed on all holidays observed by the City of Milpitas. Picnic reservations and indoor facility reservations are not accepted for New Years day, Martin Luther King Jr.'s Birthday, Lincoln's Birthday, Presidents' Day, Easter Sunday, Memorial Day, July 4th, Labor Day, Veteran's Day, Thanksgiving, Friday following Thanksgiving, Christmas Eve, Christmas Day and New Years Eve.
- 2.8 Staff shall be required for a facility where permits are granted involving the opening and closing of a building or park. Charges for necessary City Personnel will be assessed according to group use priority. If more than 150 people are scheduled to attend, two staff may be required.
- 2.9 No rental shall begin prior to 7:00 am and all activities shall cease at 12:00 am, unless prior approval has been received from City Manager ~~the Director of PR&NS/ the Recreation Services Manager~~, or his or her authorized representative.

III. FEES AND CHARGES

- 3.1 Current rates are established by the Milpitas City Council. City Staff does not have the authority to deviate from these rates.
- 3.2 No reservation will be accepted without the specified application fee, cleaning and damage deposit. The deposit must be in the form of a cashier's check, money order, cash or by VISA/MC/Discover (personal checks are not accepted). ~~Theis~~ deposit is refundable after the use date and will be returned to the applicant by mail in the form of a City check in approximately 30 days, unless damages, additional maintenance or services were assessed. Additional insurance and fees may apply.
- 3.3. Charges begin when a facility is entered for any purpose, i.e. decorating, catering, set-up etc. Groups will be assessed charges according to their reservation priority, nature of activity and/or services and staff required. Hours of use may not be changed less than 30 days prior to rental date. Additional insurance and fees may be required depending on the type of function. If use begins or continues beyond the approved time, additional fees shall be deducted from the cleaning and damage deposit. In cases where a cleaning and damage deposit has not been required, the user group will be billed. Fees will not, however, be pro-rated for events or activities that finish prior to there approved times.
- 3.4 Rental fees shall be paid at least 30 days in advance of permit use date, or permit shall be declared invalid. Payment must be made by cashier's check, money order, cash, or by VISA/MC/Discover. Cashier's check or money orders must be made payable to: CITY OF MILPITAS. Cleaning and Damage Deposit will be returned by City check in approximately 30 days, unless damages, additional

maintenance or services are assessed. Checks are returned to the person on the Rental Application Form. Please contact us ASAP should address changes occur.

- 3.5 Waiver of fees or deposits must be approved by City Council. To seek waiver, applicant must submit a written request at least 90 days prior to the proposed date of use with no exceptions. Request will be reviewed by City Council at a regularly scheduled City Council meeting.
- 3.6 No rental will be considered a Confirmed Rental without the following:
- A. A completed, signed and approved Facility Use Application on file.
 - B. Payment of appropriate Cleaning and Damage Deposit, Application Fee and applicable insurance fees (if necessary).
 - C. Signed Important Reminders For Permit Applicants on file.
 - D. Signed Rental Applicant Clean Up & Decorating Policies Responsibilities on file.
- 3.7 Groups participating in City sponsored leagues or programs are exempt from fees and deposits for regularly scheduled games or activities. Stated fees and deposits will apply for all other use of facilities by such groups.
- 3.8 Facility cancellation of the Milpitas Community Center, City Hall Building, Plaza and Grounds, Sports Center Fields/Pools, Adobe, Sal Cracolice building, Senior Center, (re-located Senior Center), Council Chambers, Police Department Community Room, or City park, must be done in writing on forms provided by the City. Cancellation forms will be accepted in person only at the location where the rental was made. No mail, facsimile or phone cancellations will be accepted.
- A. Full refund of deposit will be granted provided a cancellation is made within 30 days of deposit.
 - B. If a cancellation is made when more than ~~30~~90 days have elapsed since the date of deposit, the deposit will be refunded minus a \$50 cancellation fee. the minimum rental fee for the facility.

If cancellation is made deposit is paid with with less than 3060 days remaining until the proposed use date, ~~should cancellation occur,~~ the deposit will be forfeited and a \$50 cancellation fee will be paid by the applicant. refunded minus the minimum rental fee for the facility.
 - C. Should the City cancel said reservation a full refund will be issued.
 - D. For priorities II & III, if there is a no show for the reserved rental, the group will be charged staff costs at actual cost to the City for the amount of hours reserved.
 - E. Any group not abiding by the Facility Use Rules and Regulations will forfeit entire rental deposit.

- F. Refunds will not be issued for canceled park/picnic reservations. Reservations which cannot be held due to inclement weather will be issued a credit toward a rescheduled reservation. Applicant is responsible for contacting Recreation Services within 7 business days to initiate credit. You may re-schedule reservation or receive a credit towards future Recreation Programs or facility rentals minus the \$15 non-refundable application fee.

IV. FUND-RAISING

- 4.1 Groups wishing to use City facilities for fund-raising events and/or activities will be charged according to priority II & III, according to non-profit facility use fee schedule staff fees only.
- 4.2 Concessions, other than City operated, will be subject to the approval of the City Manager or his or her authorized representative and must possess a valid City of Milpitas business licenses and any other applicable state, county or federal permit. Concessions will be defined as the sale of any food, beverage, souvenir item or service (i.e. face painting). Copies of said permits and licenses must be submitted a minimum of 30 working days in advance of permit use date. Food being sold to the public requires a Health Permit obtainable from the County of Santa Clara's Health Department and must be submitted to the City 30 working days prior to permit use date.
- 4.3 Any person sponsoring, promoting, operating, etc. an entertainment activity (outside), open to the public, charging admission or as described in the Milpitas Municipal Code (Title III, Chapter 5, Entertainment Event) may be required to obtain an Entertainment Permit. Permit information and applications are available at the City Clerk's Office, 455 E. Calaveras Blvd., Monday-Friday, 8:00 am - 5:00 pm. If required, Entertainment Permit must be obtained prior to receiving rental permit.

V. SMOKING/ALCOHOL

- 5.1 By City ordinance, smoking is not permitted in any City Facility or within 25 feet of the facility.
- 5.2 Smoking or alcohol consumption is not permissible in the Milpitas Sports Center gymnasium or on the pool deck.
- 5.3 Serving or selling alcohol must cease one hour prior to the ending time as stated on the permit.

- 5.4 No alcoholic beverages may ~~not~~ be served or sold at youth activities such as birthday parties, baptisms, dances or presentations. A youth activity is any activity designed for individuals under the age of 21 years. The designation of such an activity will be at the discretion of the City Manager or his or her authorized representative.
- 5.5 By City ordinance, beer or wine is permissible for adults in City parks unless otherwise posted. California State law expressly forbids alcoholic beverage of any kind at the Rancho Middle School softball facility under any circumstances as it is located on school property. Sale of beer or wine is allowed or other alcoholic beverages subject to the above location restrictions and upon approval of the Milpitas Police Department and the acquisition of a valid permit by the user group from the Alcoholic Beverage Control Department, 100 Paseo de San Antonio, San Jose, CA (408) 277-1200. Alcohol permit is due 30 days in advance of the permit date. Additional insurance is required. All permits requiring insurance will be assessed a \$15 insurance processing fee.

VI. DECORATIONS

- 6.1 All decorations must be flame retardant treated.
- 6.2 No decoration can be stapled, tacked or taped to any amenities (i.e. to the walls, windows, grounds, flag poles, or ceiling.
- 6.3 No confetti, birdseed or rice may ~~not~~ be thrown in or outside of any building.
- 6.4 The building or equipment in the building may not be altered in any way without consent of the Staff on duty (i.e. moving existing equipment).
- 6.5 Colored punch may not be served at the Community Center and City Hall.
- 6.6 No candles, lanterns, incense or open flames are allowed in any building. (excluding Sterno)

VII. SET-UP/CLEAN-UP

- 7.1 If after an activity, additional maintenance is required other than what is considered normal and/or equipment is left damaged, the user group will be charged accordingly.
- 7.2 City facilities must be protected by the user from damage or mistreatment. Groups using City facilities must be responsible for the condition in which the facility and its equipment are left. Groups must leave the facility free of litter, such as paper, food or drink and if decorations are to be used, they must be approved in advance by the City and removed before the group leaves.
- 7.3 At least 30 days before the permit use date, the user group must submit a room set-up diagram.

- 7.4 Upon leaving the facility each group must see that trash is placed in appropriate receptacles, that restrooms and parking lots are free of litter and unwanted debris and that the facility is returned to its original condition. Tables must be cleared and decorations removed.
- 7.5 Kitchen must be thoroughly cleaned, if used. Staff shall provide necessary custodial services such as mopping floors and emptying garbage cans after above items have been completed. It is required that the rental applicant check in and out with staff and complete a pre and post inspection form upon arriving/leaving the facility.

VIII. SPECIAL GYMNASIUM REGULATIONS

- 8.1 No smoking or alcohol consumption is allowed in the gymnasium.
- 8.2 No food or beverages are allowed in the Milpitas Sports Center gymnasium.
- 8.3 Gymnasium participants must wear athletic type shoes and, socks ~~or bare feet~~. (Hard soles or black soles are not permitted on the gymnasium floor.)
- 8.4 Gymnasium facilities will only be rented to groups for sporting activities or programs. Requests for non-sports related activities will not be granted.
- 8.5 Locker room facilities are not available.
- 8.6 Minors are not allowed inside the facilities without proper adult supervision.
- 8.7 No other type of equipment is allowed inside the gyms without prior consent of Recreation Services. No equipment other than fixed pieces of equipment are available.
- 8.8 Access is limited to that portion of the facility agreed upon and is restricted from all other areas.
- 8.9 The Recreation Services Division shall be notified immediately of any maintenance problems or concerns, including vandalism and theft.
- 8.10 Dry mopping of the floor must be done after each use of the facility. All garbage must be disposed of properly. Any wet spills must be taken care of promptly and thoroughly.
- 8.11 Facility should be left in the condition in which it was found.
- 8.12 Groups proposing to charge an admission fee must receive permission and also include explanation in the cover letter as to the amount of charge and what proceeds are to be used for which needs to be submitted at the time of reservation and subject to approval from the City Manager or his or her authorized representative and if not satisfied, to the City Council, whose decision shall be final.

IX. SPECIAL POLICE DEPARTMENT COMMUNITY ROOM REGULATIONS

- 9.1 Rental hours 8:00 am to 11:00 pm
- 9.2 Use of the facility shall be primarily for residents, groups or individuals. No non-resident group or non-resident individual use will be permitted.
- 9.3 No alcohol is permitted in the facility.
- 9.4 No parties may be scheduled for the facility.
- 9.5 Exceptions to any policy or regulation are subject to the approval of the Chief of Police or his or her authorized representative. The applicant must submit exception requests in writing. Decisions of the Chief of Police or his or her authorized representative may be appealed to the City Manager and if not satisfied, to the City Council, whose decision shall be final.

X. OPERATING PROCEDURES

- 10.1 No food or beverages may be served in the dance studio at the Milpitas Community Center.
- 10.2 No barbecuing or use of propane stoves is allowed outside or near all City facilities unless in a designated fire pit at the Adobe Building.
- 10.3 Groups granted use of City facilities shall use them only for such purposes as specified in facility use permit and shall limit use to the facility requested. Groups using additional facilities will be charged in accordance with the schedule of charges and such charges may be deducted from the cleaning and damage deposit.
- 10.4 Groups may use certain facility equipment, provided it is not removed from the premises. Use of equipment must be specified in facility use application. City approval is required for any removal or change in the location of any stage rigging or other equipment, structures, enclosures or utility connections. All equipment must remain inside all designated facilities (i.e. tables, chairs, etc.)
- 10.5 Community Center marquee is to be used for City sponsored activities only. Exceptions must be approved by City Council. To seek exception, applicant must submit a written request at least 45 days prior to the proposed date of use. Requests will be reviewed by the City Council at a regularly scheduled City Council meeting.
- 10.6 Facility use shall not be granted:
 - a) To any group or individual, political or otherwise that advocates the overthrow of the United States Government or the State of California by force, violence or other unlawful means.
 - b) When for any reason such use may not be in the best interest of the City and/or community, as determined by the City Manager ~~Director of PR&NS/ the Recreation Services Manager~~ or his or her authorized representative, ~~subject to appeal of the City Manager,~~ whose decision may be appealed to the City Council.

- 10.7 Gambling, casino nights or any legal function or activity involving games of chance may be held in a City facility. The activity must, however, be open to the public and admission may not be charged. Donations may be accepted as long as access is not denied if a donation is not received.
- 10.8 The City of Milpitas is not responsible for accidents, injury, illness, or loss of group or individual property. The applicant agrees to indemnify at its own expense, and hold harmless the City, its officers, agents, volunteers, and employees from all costs, expenses, reasonable attorney fees, claims, liabilities or damages to persons or property that may arise during or be caused in any way by such use of occupancy of the facilities of the City of Milpitas. The applicant agrees to reimburse the City of Milpitas for any damage to said facilities occasioned by or growing out of the use herein requested and to abide by the rules and regulations governing use of such. The City requires insurance coverage for certain types of rentals in accordance with the alcohol and insurance requirement guidelines. In addition, the City may, at its discretion, require user to provide at user's expense such police and/or fire protection as deemed reasonable for the protection and preservation of the public property and peace.
- 10.9 The ~~City Manager Recreation Services Manager~~ or his or her authorized representative, shall have the right to unrestricted access to all facilities at all times during any and all use. Groups found in violation of established City laws and ordinances or constituting a public nuisance may be required to leave said facility. The misuse of facilities, failure to conform with established regulations or other applicable City ordinances, will be sufficient reason for termination of the function. Permits may not be transferred, assigned or sold.
- 10.10 Any group not abiding by all the Facility Use Rules and Regulations will forfeit entire rental deposit.

XI. CITY HALL BUILDING, PLAZA AND GROUNDS REGULATIONS

- 11.1 No food is allowed in Council Chambers.
- 11.2 No tents or structures allowed on grass.
- 11.3 Applicant will provide their own tables and chairs for all rentals (with the exception of the Committee Room.
- 11.4 Access to parking garage is restricted.
- 11.5 Flag ceremonies in Plaza Area are limited to ground ceremonies only and require prior City Council approval.
- 11.6 Additional staffing fees are required if applicant is renting the Council Chamber due to technology of facility.
- 11.7 All City Hall Building, Plaza and Ground permits are subject to Chapter 100, Title I of the Milpitas Municipal Code and all uses must be approved by the City Manager.

11.8 No political fundraising is allowed at the City Hall Building, Plaza, and Grounds.

11.9 No amplified or "live" music allowed in rentable outdoor facilities due to disruption of surrounding facilities.

XII. SPECIAL POOL RESULTSIONS

12.1 No smoking or alcohol consumption is allowed in the aquatics facility.

12.2 All pool users and patrons must bear appropriate swim attire. No jeans, cut-off shorts, leotards or any other extra articles of clothing allowed. (Ca. Health Code # 65838).

12.3 Teen Boys and Girls Locker Rooms are available for shower and changing use.

12.4 No personal flotation devices, no flotation devices attached to the swim suits, no inflatable pool toys of any kind allowed.

12.5 No diving allowed.

12.6 No running allowed. Please walk at all times.

12.7 All children under 7 years old swimming in the yard or meter pool must have an adult attendance in the water with them at all times.

12.8 Parents must change their children in the Youth locker rooms.

12.9 No food or drink is allowed on the pool deck, except in the designated areas. No glass containers allowed.

12.10 Ramp usage by request only. See Lifeguard on duty

Exceptions to any policy or regulation are subject to the approval of the City Manager Director of PR&NS/the Recreation Services Manager or his or her authorized representative 45 days in advance. The applicant must submit exception requests in writing. Decisions of the City Manager Director of PR&NS/ the Recreation Services Manager or his or her authorized representative may be appealed to the City Manager and if not satisfied, to the City Council, whose decision shall be final.

CITY OF MILPITAS FACILITY & PARKS
Alcohol and Insurance Requirement
Guidelines For Rental Groups

The table below summarizes the Insurance and Alcohol Permit requirements by rental type for facilities and parks rentals.

RENTAL TYPE	FACILITY	PARK
Private use/meeting No alcohol	No insurance required	No insurance required
Private Party ~ no alcohol	No insurance required	No insurance required
Party or meeting serving alcohol	1. Purchase Special Events Liability Insurance and 2. Purchase Liquor Legal Liability coverage Or 3. Provide Certificate of Insurance with endorsement to the City w/Liquor Legal Liability Coverage	1. Purchase Special Events Liability Insurance and 2. Purchase Liquor Legal Liability coverage Or 3. Provide Certificate of Insurance with endorsement to the City w/Liquor Legal Liability Coverage
Public Attended Event (Please refer to the type of events that require insurance and hazard classification)	1. Purchase Special Events Liability Insurance or 2. Provide Certificate of Insurance	1. Purchase Special Events Liability Insurance or 2. Provide Certificate of Insurance
Sell Alcohol	1. Purchase Special Events Liability Insurance and 2. Purchase Liquor Legal Liability coverage Or 3. Provide Certificate of Insurance with endorsement to the City w/Liquor Legal Liability coverage And 4. Obtain Alcohol Permit	1. Purchase Special Events Liability Insurance and 2. Purchase Liquor Legal Liability coverage Or 3. Provide Certificate of Insurance with endorsement to the City w/Liquor Legal Liability coverage And 4. Obtain Alcohol Permit

The applicant must satisfy the minimum insurance requirement of \$1,000,000 general liability per occurrence. The insurance coverage must be endorsed to provide primary coverage and must name the City, its officers, agents, volunteers, and its employees as additional insured. Please note that the liquor legal liability coverage is available through the City only in conjunction with purchase of special event liability coverage.

The applicant must provide the certificate of insurance **30 days** prior to event or begin the process of purchasing special events insurance with Recreation Services staff at the time of application. The costs of purchasing special events insurance is in addition to the rental fees.

Please note: this information is subject to change.

The purchase cost of special event insurance per day according to classification of hazard is as follows :

TENANT/USER EVENT RATES PER DAY
January 1, 2002 to January 1, 2003*

	Hazard Class I	Hazard Class II	Hazard Class III
Attendance	Premium	Premium	Premium
1-100	\$ 82.50	\$ 121.25	\$192.50
101-500	\$ 115.00	\$211.25	\$338.75
501-1500	\$172.50	\$250.00	\$447.50
1501-3000	\$223.75	\$416.25	\$703.75
3001-5000	\$338.75	\$531.25	\$863.75
Add Liquor Liability if applicable	\$ 65.00	Must obtain company's prior approval for liquor liability	Must obtain company's prior approval for liquor liability

***fees subject to change**

EXAMPLE OF PREMIUM CALCULATION:

Wedding with 300 serving alcohol: Hazard Class I Total Attendance: 300	Attendance Category: 101-500	Total Premium: \$115 + \$65 = \$180
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TENANT/USER EVENT RISK CLASSIFICATIONS

Hazard Class I	Hazard Class II	Hazard Class III
Plays	Animal Training	**Baseball
Bazaars	* Block Parties/Street Closures	* Carnivals (no rides)
Gymnastic Competitions	* Concerts Outdoor (under 1,500)	**Karate Meets
* Concerts indoor (under 1,500)	Dance Parties	**Softball
Fishing Events	Dog Shows	Animal Acts/Shows
Private parties/meetings serving alcohol	Food Concessions	Zoos

Notes:

- * Requires prior insurance company's approval
- ** Athletic participant's coverage requires prior insurance company's approval and signed waiver(s) by participant.

City of Milpitas-Recreation Services
Special Event Rules and Regulations

I. City Sponsored Special Events

1.1 The purpose of City Sponsored Special Events is to provide the public with activities to attend within the community. Planning for each event takes place 3-6 months prior to the event. These rules and regulations pertain to non-City group participation and use of City equipment for and during City sponsored, co-sponsored, public, non-profit events.

1.2 Calendar of Events (dates and events are subject to change)

Children's Memorial Day	April
Memorial Day Ceremony	May
Global Village	May (every 2 years)
Volunteer Recognition	April Summer
4 th of July Festival	July
Commissioner's Dinner	July
September 11 th Memorial	September
Fall Festival	October
Veterans Day Ceremony	November
Tree Lighting Ceremony	December
Milk & Cookies with Santa	December

II. Priorities

2.1 City Sponsored Special Events will be reserved in accordance with the following group priorities, to provide for public activities in the best interest of the community:

- Priority I. City Departments and/or program sponsored by the City.
- Priority II. Programs or activities of senior citizens or handicapped groups, which are principally composed of local residents (51% or more), private or public schools located in the Milpitas city limits, the Milpitas Chamber of Commerce and government agencies.
- Priority III. Non-profit groups that are organized for recreational, social, cultural or civic purpose, and whose membership is principally composed of local residents, (51% or more) or whose charter is based in Milpitas.
- Priority IV. Any other group, business or individual resident of the City of Milpitas, upon review of the Recreation Services Management.
- Priority V. Any non-resident group, business or individual, upon review of the Recreation Services Management.

III. Organization/Group Seeking Participation

- 3.1 Any organization/group that would like to participate in any City sponsored Special Event must contact Milpitas Recreation Services at least 6 months prior to an event and submit a Special Events Application attached with a written request explaining in detail their participation in an event. There will be NO EXCEPTIONS to this rule due to the importance of the planning process.
- 3.2 Recreation Services must approve all requests to participate in a Special Event. A written response will be mailed to the address listed on the Special Event Application either approving or denying the organizations/groups involvement in a City sponsored Special Event, within fourteen (14) working days from receiving the initial request.
- 3.3 Once granted permission to participate in an event by Recreation Services, a special events contract will be drafted to ensure participation meets City standards. This contract must be reviewed and signed by the group representative and City Staff (City Attorney, City Manager and City Clerk) one (1) month prior to the event.
- 3.4 Special Event contract authorizes the terms for organizations/groups to conduct events only as described within the contract. It is unlawful for an organization/group to violate the terms and conditions of the contract.
- 3.5 Recreation Services reserves the right to refuse or deny a group's participation at any time, either prior or during an event.

IV. Organization/Group Permission to Participate

- 4.1 A pre-approved organization/group will have the opportunity to participate in a City sponsored Special Event in one of the following methods:
 - a) Resource table - Displaying pre-approved information at an event about the organizations/groups purpose and presence in Milpitas.
 - b) Vending booth - The sale of pre-approved merchandise and food or distributing items to the public. The sale of any tangible personal property or food requires permits. Milpitas Recreation Services will assist in obtaining permits such as Health Permit, Milpitas Business License, etc.
 - c) Speech Presentation - The speech must be no longer than five (5) minutes in length and must be appropriate for the event. A copy of the speech must be provided to the Recreation Services Management at least one (1) month prior to the event.
 - d) Parade – An entry in the Milpitas 4th of July Parade. All entries must complete a Special Events Application and/or a Parade Application in order to participate.

- 4.2 A sample of all items being distributed, sold, displayed and/or given to the public must be presented to the Recreation Services for approval at least fourteen (14) working days prior to the event. Any items issued at an event without approval may result in automatic forfeit of participation in the event and/or any future City sponsored Special Events.

V. Equipment Rental

- 5.1 A Special Events Application must be completed and submitted to Recreation Services Customer Services staff to request the use of any City equipment and/or supplies at least two (2) months prior to the organizations/groups event.
- 5.2 A deposit is required of all rented equipment and is refundable upon the return of the equipment provided no damage has occurred to any of the items. Milpitas Recreation Services will review the request and upon approval or denial a letter will be mailed to the address listed on the Special Event application, which will include the necessary rental fee. All equipment availability is based on Milpitas Recreation Services events schedule. (See below for fee schedule)
- 5.3 Equipment Fee Schedule:

	<u>Fee</u>	<u>Deposit (refundable)</u>
*Mobile Stage	\$350/day (includes staffing & towing)	\$1,000/day
White Fencing	N/A	
PA System	N/A	
Field Lights	N/A	
Staff Time	N/A	
Platforms	N/A	

Please Note:

The rental fee of equipment/supplies NOT listed is to the discretion of Recreation Services.

N/A = Not Available

The Mobile Stage is not allowed outside Milpitas City limits.

CITY OF MILPITAS
FIELD USE AND SPORTS FACILITY USE RULES AND REGULATIONS

Applications for Field and Facilities use at the Milpitas Sports Center may be obtained in person during business hours at the Milpitas Sports Center 1325 E. Calaveras Blvd. Business Hours are Monday to Thursday, 6:00 am to 9:00 pm, Fridays, 6:00 am to 6:00 pm, and Saturdays, 9 am to 1 pm. Application requesting use is not approved and a permit is not issued until all requirements are complete, the final permit will be issued for approved use.

I. USE PRIORITIES

Priorities are designed to determine fee and reservation status. For reservation status see rule 2.4 and 2.5.

- 1.1 To provide for public activities in the best interest of the Community, City facilities will be reserved in accordance with the following group priorities:

Priority I. City ~~sponsored and~~ administered programs.

- | | | | |
|----|---------------|----|--------------------|
| 1. | No deposit | 3. | No staff fee |
| 2. | No rental fee | 4. | No application fee |

Priority II. Programs or activities of Senior Citizens or handicapped groups which are principally composed of local residents (51% or more), private or public schools located in the Milpitas city limits, the Milpitas Chamber of Commerce and governmental agencies.

- | | | | |
|----|---------------|----|-----------------|
| 1. | No deposit | 3. | Staff fee |
| 2. | No rental fee | 4. | Application fee |

Priority III. Non-profit groups that are organized for recreational, social, cultural, religious or civic purposes, and whose membership is principally composed of local residents, (51% or more) or whose charter is based in Milpitas.

Note: Non-profit groups who provide a service to the Community and meets an under-served need may not be charged rental or staff fee as deemed by the City Manager or his or her authorized representative.

- | | |
|----|--|
| 1. | Facility deposit according to the fee and deposit schedule |
| 2. | One-half of rental fee |
| 3. | Staff fee |
| 4. | Application fee |

Priority IV. Any other group, business or individual resident of the City of Milpitas.

- | | |
|----|--|
| 1. | Facility deposit according to the fee and deposit schedule |
| 2. | One-half of rental fee |
| 3. | Staff fee |
| 4. | Application fee |

Priority V. Any non-resident group, business or individual.

1. Facility deposit according to the fee and deposit schedule
2. Full rental fee
3. Staff fee
4. Application fee

II. RESERVATIONS/APPLICATIONS

- 2.1 Permits for field or sports facility use shall be issued by the City upon the approval of the City Manager or his or her authorized representative, and shall be consistent with City regulations governing such use.
- 2.2 The use of those facilities shall not be inconsistent with other such use for City purposes or interfere with the regular conduct of City programs. City administered programs or groups shall receive first priority over use by any other group or organization. The City reserves the right, if necessary, to preempt, or revoke permit (if previously issued) for the use if for any reason it becomes unavoidably necessary for City to utilize said facility or facilities at the same time. If and when such action is necessary, the City will give permits as much advance notice as possible.
- 2.3 Permits for use of the citywide fields or sports facilities must be obtained in person at the Milpitas Sports Center, located at the 1325 E.. Calaveras Blvd., Monday through Thursday, 6:00 am to 9:00 pm, and Fridays, 6:00 am to 6:00 pm, Saturdays, 9:00 am to 1:00 pm, (408) 586-3225.
- 2.4 An adult (18-year minimum age) must sign all applications for use, and said adult shall agree to be responsible for use. Groups composed of minors 17 years of age and under must be supervised by one (1) adult for each 15 minors. All activities must have adult supervision to ensure adequate control.
- 2.5 Applications for use of fields or sports facility are accepted on the following basis:

Priority I Groups: Six (6) months prior to proposed use date.

Priorities II-IV 90 days to proposed date of use.

All groups requesting a permit must submit permit and pay all required rental fees a minimum thirty (30) days prior of use.

In cases where the earliest date to reserve a facility falls on a weekend (Saturday or Sunday), reservations will be accepted on the preceding Friday. Applications are accepted on first come first served basis based on use priority.

- 2.6 Priority IV and V users may only reserve fields or sports facilities for consecutive days during minimal use periods. No blanket permits will be allowed.

- 2.7 No rental shall begin prior to 8:30 am and all activities shall cease by 9pm or as designated by posted park ordinance unless specifically authorized by the Recreation Services Manager or designee.
- 2.8 No rental application is considered authorized or approved until the following are completed:
- A. Completed and signed application has been submitted and approved by Recreation Services
 - B. All applicable fees have been paid
 - C. Proof of insurance, certificate of insurance co-insuring the City of Milpitas has been provided as required
 - D. All other required conditions of use have been met
- 2.9 When all conditions and requirements are met than a Field Use Permit will be issued. Applicants for field use should not publicize, promote or register any activities until a field use permit has been issued.
- 2.10 Traditional sports seasons will be given preference for use of City and/or School district fields or facilities:
- | | |
|---------------------|--|
| August to December: | <u>Volleyball, Basketball, Soccer, Football and Softball</u> |
| February to July: | <u>Baseball and Softball, Little League and Bobby Sox</u> |

Fees and Charges: (Please Refer to Milpitas Sports Center - Rental Fee Schedule)

III. FEES AND CHARGES

- 3.1 Please refer to the Milpitas Sports Center - Rental Fee schedule
- 3.2 No reservation will be accepted without the specified cleaning and damage deposit. This deposit must be in the form of a cashier's check, money order, cash or by VISA/MC/Discover (personal checks are not accepted). This deposit is refundable after the use date and will be returned to the applicant by mail in the form of a City check in approximately 30 days, unless damages, additional maintenance or services were assessed.
- 3.3 Rental fees shall be paid at least 30 days in advance of permit use date, or permit shall be declared invalid. Payment must be made by cashier's check, money order, cash, or by VISA/MC/Discover. Cashier's check or money orders must be made payable to: CITY OF MILPITAS. Cleaning and Damage Deposit will be returned by City check in approximately 30 days, unless damages, additional maintenance or services are assessed.

FEE WAIVER

- 3.4 Waiver of fees or deposits must be approved by City Council. To seek a waiver of fees, applicant must submit a written request to the City Manager at least 45

days prior to the proposed date of use. Recreation Services Manager will consider request and determine if request should be forwarded request for review and consideration of the City Council at a regularly scheduled meeting.

- 3.5 No application will be considered authorized or approved without the following:
- A. A completed, signed and approved Field Use Application on file.
 - B. Payment of appropriate Cleaning and Damage Deposit and Application Fee.
 - C. Meeting any other conditions required by the City of Milpitas (insurance, security, and deposit)
- 3.6 Groups participating in City administered leagues or programs are exempt from fees and deposits for regularly scheduled games or activities. Stated fees and deposits will apply for all other use of facilities by such groups.

CANCELLATION/ REFUNDS

- 3.7 Facility or field use cancellation Sports Center must be done in writing on forms provided by the City. Forms may be obtained at the Milpitas Sports Center, 1325 E. Calaveras Blvd., or by calling (408) 586-3225. Cancellation forms will be accepted in person only. No mail, facsimile, or phone cancellations will be accepted.
- A. Full refund of deposit will be granted provided a cancellation is made within 30 days of deposit.
 - B. If a cancellation is made when more than 30 days have elapsed since the date of deposit, the deposit will be refunded minus the minimum hours rental fee for the facility or field.
 - C. If deposit is paid with less than 30 days remaining until the proposed use date, should cancellation occur, the deposit would be refunded minus the minimum rental fee for the facility or field.
 - D. Should the City cancel the permit or use a full refund will be issued.
- 3.8 Approved Field Use permits which cannot be held due to inclement weather may be issued a credit toward a rescheduled reservation or a credit minus the \$15 non-refundable deposit.

IV. LIABILITY/INSURANCE

- 4.1 In order to obtain a field use permit the City of Milpitas may require applicant to obtain general insurance that meets the following requirements:
- 1. Insurance must have a minimum limit of \$1,000,000.00
 - 2. Insurance must name the City of Milpitas, its officers, and employees as additional insured against any and all liability arising or resulting from usage of said premises.

3. Policy should include a “additional endorsement”
 4. Policy should co-insure the City of Milpitas as follows:
City of Milpitas- Recreation Services
1325 E. Calaveras Blvd.
Milpitas CA 95035
- 4.2 Insurance must be valid during all periods of requested use
 - 4.3 Proof of insurance must be received prior to approval for field or facility use.
 - 4.4 All permits for groups charging admission or entry fee shall include a written rental contract on forms provided by the City and approved as to form by the City Attorney. Before the same are binding, the Recreation Services Manager, or his or her authorized representative shall execute them for and on behalf of the City. Groups using City facilities for the purpose of raising funds will be charged a percentage of their gross receipts, or the rental fee whichever is greater. (See attached Fee and Deposit Schedule or the schedule listed above, item #4.1.)
 - 4.5 Concessions, other than City operated, will be subject to the approval of the City Manager or his or her authorized representative, and must possess valid business licenses and health permits. Concessions will be defined as the sale of any food, beverage or souvenir item. Copies of said permits and licenses must be submitted a minimum of 30 working days in advance of permit use date.
 - 4.6 Any person sponsoring, promoting, operating, etc. an entertainment activity, open to the public, charging admission or as described in the Milpitas Municipal Code (Title III, Chapter 5, Entertainment Event) may be required to obtain an Entertainment Permit. Permit information and applications are available at the City Clerk’s Office, City Hall, 455 E. Calaveras Blvd., Monday through Friday, 8:00 a.m. - 5:00 p.m. If required, Entertainment Permit must be obtained prior to receiving rental permit.

V. SMOKING/ALCOHOL

- 5.1 By City ordinance, smoking is not permitted in any City Facility within 25 feet of a City facility.
- 5.2 Smoking or alcohol consumption is not permissible in the Milpitas Sports Center gymnasium or on the pool deck.
- 5.3 Smoking and Alcohol use is regulated and must conform to posted park regulations and City Ordinances.
- 5.4 Alcoholic beverages may not be served or sold at youth activities such as birthday parties, dances or presentations. A youth activity is any activity designed for individuals under the age of 21 years. The designation of such an activity will be at the discretion of the Recreation Services Manager or his or her authorized representative.

- 5.5 Alcoholic beverages may not be served or sold to minors at any function.
- 5.6 By City ordinance, beer or wine is permissible for adults in City parks unless otherwise posted. California State law expressly forbids alcoholic beverage of any kind at the Rancho Middle School softball facility under any circumstances as it is located on school property. Sale of beer or wine is allowed, or other alcoholic beverages subject to the above location restrictions, and upon approval of the Milpitas Police Department and the acquisition of a valid permit by the user group from the Alcoholic Beverage Control Department, 100 Paseo de San Antonio, San Jose, CA (408) 277-1200.

VI. MAINTENANCE

- 6.1 Parks Services is responsible for all aspects for field maintenance. Recreation Services and Building Maintenance are responsible for facility maintenance.
- 6.2 Permittees are responsible for obtaining pre-approval and permission from Park Services prior to altering fields in any manner.
- 6.3 Permittees are responsible for obtaining pre-approval and permission from Recreation Services for alteration of indoor facility.
- 6.4 User is responsible to ensure that clean up has occurred following any rental. Garbage cans are provided for clean-up purposes.
- 6.5 Should damage to field or facility occur, permittee is responsible for all direct costs involved in the repair, replacement or clean up caused due to damage.
- 6.6 City of Milpitas reserves the right to revoke or cancel any permitted use if it is deemed to be dangerous, hazardous or not in the best interest of the City of Milpitas.
- 6.7 Permittee shall report any unsafe condition to Park and Recreation Services immediately and suspend activities until corrections or repair has ensured that the situation is safe for participants.

VII. SET-UP/CLEAN-UP

- 7.1 If after an activity, additional maintenance is required other than what is considered normal, and/or equipment is left damaged, the user group will be charged accordingly.
- 7.2 City facilities must be protected by the user from damage or mistreatment. Groups using City facilities must be responsible for the condition in which the facility and its equipment are left. Groups must leave the facility free of litter, such as paper, food or drink, and if decorations are to be used, they must be approved in advance by the City and removed before the group leaves.
- 7.3 Upon leaving the facility each group must see that trash is placed in appropriate receptacles, that restrooms and parking lots are free of litter and unwanted debris, and that the facility is returned to its original condition. Tables must be cleared and decorations removed. Kitchen must be thoroughly cleaned, if used. Attendant shall provide necessary custodial services such as mopping floors, and emptying garbage cans after above items have been completed.

VIII. SPECIAL GYMNASIUM REGULATIONS

- 8.1 No smoking or alcohol consumption allowed in the gymnasium.
- 8.2 No food or beverages allowed in Milpitas Sports Center gymnasium.
- 8.3 Gymnasium is designated and used for sports activities only. Gymnasium participants must wear athletic type shoes, socks, or bare feet. (Hard soles or black soles not permitted on gymnasium floor.)
- 8.4 Gymnasium facilities will only be rented to groups for sporting activities or programs. Requests for non-sports related activities will not be granted.
- 8.5 Use of electronic scoreboard is to permit use during City functions only.
- 8.6 Bleacher capacity is not to exceed 250 spectators.

IX. GENERAL RULES AND REGULATIONS:

- 9.1 Groups granted use of City facilities shall use them only for such purposes as specified in facility use permit, and shall limit use to the facility requested. Groups using additional facilities will be charged in accordance with the schedule of charges, and such charges may be deducted from the cleaning and damage deposit.
- 9.2 Group must adhere to all posted rules and regulations.
- 9.3 ~~City of Milpitas Community Center~~ digital marquee is to be used for City sponsored activities only. Exceptions must be approved by City Council. To seek exception, applicant must submit a written request at least 45 days prior to the proposed date of use. Request will be reviewed by City Council at a regularly scheduled City Council meeting.
- 9.4 Facility use shall not be granted:
 - a) To any group or individual, political, or otherwise that advocates the overthrow of the United States Government, or the State of California by force, violence or other unlawful means.
 - b) When for any reason such use may not be in the best interest of the City and/or community, as determined by the City Manager or his or her Authorized Representative, subject to appeal of the City Manager, whose decision may be appealed to the City Council.
- 9.5 Gambling, casino nights or any legal function or activity involving games of chance may be held in a City facility. The activity must, however, be open to the public and admission may not be charged. Donations may be accepted as long as access is not denied if a donation is not received.

- 9.6 The City of Milpitas is not responsible for accidents, injury, illness, or loss of group or individual property. The City may require proof of insurance coverage

at a City approved event in its discretion. In addition, the City may, at its discretion, require user to provide at user's expense such police and/or fire protection as deemed reasonable for the protection and preservation of the public property and peace.

- 9.7 The City Manager, or his or her authorized representative, shall have the right to unrestricted access to all facilities at all times during any and all use at all indoor and outdoor facilities. Groups found in violation of established City laws and ordinances, or constituting a public nuisance may be required to leave facility. The misuse of facilities, failure to conform with established regulations or other applicable City ordinances, will be sufficient reason for termination of the function. Permits may not be transferred, assigned, or sold.

X. Public Basketball Court Rules

- 10.1 Basketball Courts hours: 8:30 AM – 8:30 PM Daily.
- 10.2 Basketball Court is for recreational purpose in two-hour increments and are on a drop-in basis. Courts must be forfeited if another group/individual are waiting.
- 10.3 Amplified music including car and portable radios is prohibited.
- 10.4 The Milpitas Police Department may stop play based on complaints.

XI. Tennis Court Rules & Etiquette

- 11.1 Court Time Limit: Courts must be relinquished to players waiting after one hour of play for singles or 1 hour 30 minutes for doubles.
- 11.2 Waiting Players should state their intent of play to current occupants upon arrival.
- 11.3 Maximum of four (4) players per court.
- 11.4 No single player may use court when others are waiting.
- 11.5 City-Sponsored Programs have first priority on tennis courts at all times.
- 11.6 Absolutely no skates, roller blades, skateboards, bikes, food, glass objects or alcoholic beverages on courts. All food and drinks must be left outside tennis courts fence.
- 11.7 Smooth bottomed tennis shoes only. No knobby, black soled, or street shoes.
- 11.8 No instructional aids allowed (i.e. ball machines, etc.) unless prior approval received from City of Milpitas, Recreation Services, 408-586-3210.
- 11.9 Conducting any business or concession within any City park is prohibited except by permit MMC 1-9-4.01 (i.e. private tennis lessons, selling food or beverage, etc.)
- 11.10 For your safety and enjoyment, use caution when playing. Surface may be slippery when wet or dirty.
- 11.11 Smoking is prohibited within 25 feet of tennis courts.
- 11.12 Report any problems with courts. Please call Parks Hot-line at 408-586-2600.

Exceptions to any policy or regulation are subject to the approval of the City Manager or his or her authorized representative. Exception requests must be submitted in writing by the applicant.

Decisions of the City Manager may be appealed, if not satisfied, to the City Council, whose decision shall be final.